

UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF NEW YORK

X

JENNIFER CHI-WOLF,

Plaintiff,

-against-

KERZNER INTERNATIONAL RESORTS, INC., KERZNER
INTERNATIONAL NORTH AMERICA, INC., KERZNER
NEW YORK, INC., KERZNER INTERNATIONAL
HOLDINGS LIMITED, its subsidiaries and affiliates
at every tier, including without limitation, KERZNER
INTERNATIONAL LIMITED, KERZNER INTERNATIONAL
BAHAMAS LIMITED, ATLANTIS HOLDING (BAHAMAS)
LIMITED, OCEAN CLUB HOLDINGS LIMITED, PARADISE
ISLAND LIMITED, ISLAND HOTEL COMPANY LIMITED,
PARADISE ENTERPRISE LIMITED and "ATLANTIS
RESORT & CASINO",

Defendants.

X

REMOVAL PETITION

____ To the Honorable Judges of the United States District Court
for the Southern District of New York, the defendants, KERZNER
INTERNATIONAL RESORTS, INC., KERZNER INTERNATIONAL NORTH AMERICA,
INC., KERZNER NEW YORK, INC., KERZNER INTERNATIONAL HOLDINGS
LIMITED, its subsidiaries and affiliates at every tier, including
without limitation, KERZNER INTERNATIONAL LIMITED, KERZNER
INTERNATIONAL BAHAMAS LIMITED, ATLANTIS HOLDING (BAHAMAS) LIMITED,
OCEAN CLUB HOLDINGS LIMITED, PARADISE ISLAND LIMITED, ISLAND
HOTEL COMPANY LIMITED, PARADISE ENTERPRISE LIMITED and "ATLANTIS
RESORT & CASINO", by their attorneys, Connors and Connors, P.C.,
states the following upon information and belief:

1. That KERZNER, et al. are defendants in the above-entitled action.

2. On December 15, 2009, this action was commenced against KERZNER, et al. in the Supreme Court of the State of New York, New York County, and is now pending. The action is captioned:

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

X

JENNIFER CHI-WOLF,

Plaintiff(s),

Index No. :
117531/09

-against-

KERZNER INTERNATIONAL RESORTS, INC., KERZNER INTERNATIONAL NORTH AMERICA, INC., KERZNER NEW YORK, INC., KERZNER INTERNATIONAL HOLDINGS LIMITED, its subsidiaries and affiliates at every tier, including without limitation, KERZNER INTERNATIONAL LIMITED, KERZNER INTERNATIONAL BAHAMAS LIMITED, ATLANTIS HOLDING (BAHAMAS) LIMITED, OCEAN CLUB HOLDINGS LIMITED, PARADISE ISLAND LIMITED, ISLAND HOTEL COMPANY LIMITED, PARADISE ENTERPRISE LIMITED and "ATLANTIS RESORT & CASINO",

Defendant(s).

X

3. On or about January 12, 2010, a Summons and Complaint was served in this matter on the Secretary of State pursuant to Section 306 of the Business Corporation Law of the State of New York. However, the complaint did not set forth a demand or amount in controversy. Consequently, the said complaint did not constitute an initial pleading within the meaning of 28 USC 1446(b). Despite demand having been made for a statement of the amount in controversy, plaintiff has not yet provided defendants with this element of an initial pleading. In addition, some of the defendants have not yet been served in this action and/or service as to them is not yet complete.

4. The defendants, KERZNER, et al., is filing this Notice of Removal within 30 days of service of the Summons and Complaint.

5. Other than defendants serving an answer and initial demands, including a demand for the amount in controversy, no further proceedings have been had in the Supreme Court of the State of New York, New York County.

6. On information and belief, the amount in controversy in this action allegedly exceeds the amount recoverable in the lower courts of the City and State of New York, exclusive of interests and costs.

7. Plaintiff is a citizen of the State of New Jersey.

8. At the time the Summons and Complaint was filed, KERZNER was incorporated in the State of New York and upon information and belief, its principal place of business was also in the State of New York. None of the other defendants is incorporated or has its principle place of business in New Jersey.

9. This is an action for damages for personal injury resulting from the alleged negligence of the defendant.

10. This Court has original jurisdiction over this action pursuant to 28 U.S.C. §1332, and the action may therefore be removed to this Court pursuant to 28 U.S.C. §1441.

11. A copy of the Summons and Complaint served on KERZNER, et al. is annexed hereto, as is Kerzner's answer..

12. This notice is filed with this Court within 30 days after service of the Summons and Complaint in this action.

WHEREFORE, KERZNER, et al. prays that the above action now pending against it in the Supreme Court of the State of New York, County of New York, be removed to this Honorable Court.

DAVID S. HELLER (2167)

Connors & Connors, P.C.
Attorneys for Defendant
KERZNER, et al.
766 Castleton Avenue
Staten Island, New York 10310-9003
(718) 442-1700

TO: FREDERIC R. GRAE, ESQ.
Attorney for **Plaintiff**
1741 Victory Blvd.
Staten Island, NY 10314
(718) 727-7700

UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF NEW YORK

JENNIFER CHI-WOLF,

X

Plaintiff,

NOTICE OF REMOVAL

-against-

KERZNER INTERNATIONAL RESORTS, INC., KERZNER
INTERNATIONAL NORTH AMERICA, INC., KERZNER
NEW YORK, INC., KERZNER INTERNATIONAL
HOLDINGS LIMITED, its subsidiaries and affiliates
at every tier, including without limitation, KERZNER
INTERNATIONAL LIMITED, KERZNER INTERNATIONAL
BAHAMAS LIMITED, ATLANTIS HOLDING (BAHAMAS)
LIMITED, OCEAN CLUB HOLDINGS LIMITED, PARADISE
ISLAND LIMITED, ISLAND HOTEL COMPANY LIMITED,
PARADISE ENTERPRISE LIMITED and "ATLANTIS
RESORT & CASINO",

Defendants.

X

SIRS:

PLEASE TAKE NOTICE, that upon the removal of this action
from the Supreme Court of the State of New York, County of New
York, to the United States District Court for the Southern
District of New York, a Removal Petition, a copy of which is
annexed hereto was duly filed in the Office of the Clerk of the
United States District Court for the Southern District of New
York on the 11th day of February, 2010.

Dated: Staten Island, New York
February 8, 2010

DAVID S. HELLER (2167)

Connors & Connors, P.C.
Attorneys for Defendant
KERZNER, et al.
766 Castleton Avenue
Staten Island, New York 10310
(718) 442-1700

TO: FREDRIC R. GRAE, ESQ.
Attorney for **Plaintiff**
1741 Victory Blvd.
Staten Island, NY 10314
(718) 727-7700

CERTIFICATE OF SERVICE

I, DAVID S. HELLER, hereby certify that a copy of the foregoing NOTICE OF REMOVAL was mailed by first class mail, postage prepaid, this 11th day of February, 2010, to all counsel of record as indicated below.

DAVID S. HELLER (2167)

TO: FREDRIC R. GRAE, ESQ.
Attorney for **Plaintiff**
1741 Victory Blvd.
Staten Island, NY 10314
(718) 727-7700

UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF NEW YORK

JENNIFER CHI-WOLF,

X

Plaintiff(s), **Civ.**

-against-

KERZNER INTERNATIONAL RESORTS, INC., KERZNER
INTERNATIONAL NORTH AMERICA, INC., KERZNER
NEW YORK, INC., KERZNER INTERNATIONAL
HOLDINGS LIMITED, its subsidiaries and affiliates
at every tier, including without limitation, KERZNER
INTERNATIONAL LIMITED, KERZNER INTERNATIONAL
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LIMITED, OCEAN CLUB HOLDINGS LIMITED, PARADISE
ISLAND LIMITED, ISLAND HOTEL COMPANY LIMITED,
PARADISE ENTERPRISE LIMITED and "ATLANTIS
RESORT & CASINO",

Defendants.

X

Pursuant to Rule 7.1 of the General Rules of the Southern
District of New York and to enable judges and magistrate judges
of the court to evaluate possible disqualification or recusal,
the undersigned counsel of record for a private (non-
governmental) party certifies that the following are corporate
parents, subsidiaries, or affiliates of that party which are
publicly held.

NONE

DATE: February 8, 2010

DAVID S. HELLER (2167)

CERTIFICATE OF SERVICE

I, DAVID S. HELLER, hereby certify that a copy of the foregoing RULE 7.1 STATEMENT was mailed by first class mail, postage prepaid, this 11th day of February, 2010, to all counsel of record as indicated below.

DAVID S. HELLER (2167)

TO: FREDRIC R. GRAE, ESQ.
Attorney for **Plaintiff**
1741 Victory Blvd.
Staten Island, NY 10314
(718) 727-7700